

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Jacqueline Silver

Plaintiff,

APPLICATION FOR THE COURT TO
REQUEST COUNSEL

-against-

City of New York, NYPD, 15 cv 3462 (ARR)
Bayside Queens, 111 Precinct, John Doe
Defendant(s), # 1 Police officer
et al.
-----X

1. Name of applicant Jacqueline Silver
2. Explain why you feel you need a lawyer in this case. (Use additional paper if necessary.)
I am the plaintiff in the above referenced
action. I am requesting a lawyer because it
is getting to the point in this action that I
(Please see attached page # 4)
3. Explain what steps you have taken to find an attorney and with what results. (Use additional paper if necessary.)
Back in May I spoke with many
police brutality personal injury attorneys.
A lot of them were either party lawyers, can't
take on new clients. One attorney actually told
me
4. If you need a lawyer who speaks in a language other than English, state what language you speak:
N/A (Please see page # 2)
5. I understand that if a lawyer volunteers to represent me and my lawyer learns that I can afford to pay for a lawyer, the lawyer may give this information to the Court. I understand that if the Court grants this application in a complaint against the Commissioner of Social Security, the pro bono attorney, if successful, has the statutory right to request that the Court award a fee of up to 25% of the accrued Social Security or Supplemental Security Income Benefits. See 42 U.S.C. § 406.
6. I understand that if my answers on my Request to Proceed *In Forma Pauperis* are false, my case may be dismissed.
7. I declare under penalty of perjury that the foregoing is true and correct.

Dated: 2.13.16

Signature

Jacqueline Silver

Jacqueline Silver vs City of New York et al

February 13, 2016

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2. beyond my capabilities to proceed . Your Honor I was granted in forma pauperis because I have no money to start an action against these defendants, nor do I have the money to pay a private lawyer to represent me in this above referenced action, which I need in order for this case to continue.

On December 14th, 2015, Hon. Allyne Ross granted me my motion to reopen the case against the unidentified John Doe police officers employed by the 111 precinct in Queens. Your Honor, I am not an attorney and was under the impression that the court supervises everything pretrial, as it was written . At this point Hon. Allyne Ross, dated in an order (December 14, 2015) that the case was referred to Hon. Peggy Kuo for pretrial supervision . At this point in time its beyond my capability to answer/oppose defendants motions. I could end up losing a meritorious case. I didn't think that the Corporation Counsel wasn't going to abide by your order.

I do not have the funds to hire an attorney unless it's on contingency, which I haven't found one yet. Everybody has a right to their day in court and without counsel this might not happen. The police officers in the 111 precinct that used excessive force on me, causing me contusions, bruises etc that morning in 2012, for no reason at all and no justification as to why they did it, needs to be accountable for what they did. I cannot prove my case as this is getting to

complicated. Your Honor, it will benefit the court, myself and the defendants lawyers if I am provided with counsel. The police officers cannot go around brutalizing innocent individuals and not be held accountable for what they did.

Finally Your Honor, on or around end of December, I was served from the Corporation Counsel for the city of New York, Special Federal Litigation Division, a packet with forms that I need to answer, Designation of Agent for Access to Sealed Records..., Authorization To Disclose Medical Information/Release of Health Information Pursuant to HIPAA. Once again, I am a prose litigant and not a lawyer, but common sense will tell you that this is not in the discovery phase yet and supplying these forms is very premature. This is another reason why I need counsel. If I was naïve I could supply this information to the lawyers for the defendants and my entire case could be dismissed without any litigation .

On or around January 20 of this year, I was served with a motion to dismiss my action that was addressed to the Judge. I don't even know if I was supposed to answer it or not. This is another reason why I need counsel. I called the prose department in the court and they advised me to send a letter to Hon. Kuo. In Hon. Ross is Memorandum and Order, it states that within 45 days of the order, which brings it to January 28th, 2016, the Corporation Counsel for the City of New York, is requested per the order to provide the court with the full names, and addresses where these defendants can be served of all the police officers that were involved in plaintiffs claims of police brutality /excessive force

on the morning of May 2012. Your Honor, to this day the Corporation Counsel has not provided this information to the court. Plaintiff is requesting the court to compel the Corporation Counsel to provide them with this information. As Hon. Ross stated in her order, the United States Marshal Service cannot serve the John Doe defendants without identifying this information. As Hon Ross also indicated that this is difficult for a pro se litigant to identify law enforcement officers. As a pro se plaintiff, I am entitled to assistance from the district court in identifying defendants.

The judge also mentioned in her order that the Corporation Counsel doesn't need to defend or indemnify the defendants at this point. Therefore the Corporation Counsels Motion to dismiss is moot and irrelevant. I am requesting the Court to dismiss the motion, and once again compel them to provide the court with this information. As per *Valentin v Dinkins*. As per the court, once the information is provided to the court, the complaint shall be deemed amended. The court shall amend my summons and the court will direct service on these defendants, until that happens plaintiff with or without a lawyer cannot proceed in this action.

In Hon. Ross's order, it states "that the court is mindful that a prose complaint, must be held to less stringent standards than formal pleadings drafted by a lawyer" This is another reason why plaintiff is requesting counsel. Finally, Your Honor, I am requesting counsel because I am not clear what I am suppose to be doing with my case at this point. I am aware that the court serves the papers

and amends the summons, but do I answer the motion to dismiss. I don't know and at this point a lawyer will be beneficial to all parties involved.

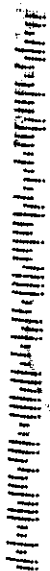
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3. to file a civil rights lawsuit in the United States District Court. They told me that police brutality has a three year statute of limitations.

Reguline Silk
6730 Datmian Street
am Forest Hills NY
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Honorable Allge R. Ros
United States District
Court
Eastern District of NY
225 Ogden Plaza East
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